

Message Text

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PAGE 01 BRASIL 10174 111514Z

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FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 9089

C O N F I D E N T I A L BRASILIA 10174

DEPT FOR ARA/ECA/BR FOR ELTZ AND PASCUA

E.O. 11652: GDS

TAGS: CASC (DAVIS, JOHN W.)

SUBJECT: DAVIS CASE UPDATE

REF: BRASILIA 9828

1. RECENT DEVELOPMENTS IN DAVIS CASE ARE AS FOLLOWS
(REVELANT DOCUMENTS BEING POUCHED):

2. AMBASSADOR CRIMMINS REPLIED BY LETTER DATED DECEMBER 10, 1976, TO LATEST LETTER FROM DAVIS FAMILY (SPECIALLY FROM JOHN DAVIS JR.) DATED NOVEMBER 17, 1976. DABIS LETTER WAS STIMULATED BY RELEASE (TEMPORARY AS IT PROVED) OF THOSE PERSONS STILL UNDER DETENTION AS SUSPECTS IN THE JULY KILLINGS OF DAVIS FAMILY MEMBERS. FULL TEXTS OF LETTERS FOLLOW AS SEPTTEL.

3. RESPONDING TO REQUEST CONTAINED IN LETTER FROM JOHN DAVIS, JR., EMBASSY POLITICAL COUNSELOR ON DECEMBER 3 DELIVERED SEPARATE LETTER ADDRESSED BY DAVIS TO COL. SYLVIO FERREIRA DA SILVA, CHIEF OF CABINET OF THE NATIONAL SECURITY COUNCIL. EMB OFF DISCUSSED CASE WITH FERREIRA, CITING EMBASSY CONCERN. FERREIRA ASSUMED LETTER HAD BEEN ADDRESSED TO HIM BECAUSE OF HIS ROLE AS COORDINATOR IN THE DISPATCH FO A MILITARY INVESTIGATORY GROUP SOME TWO WEEKS PREVIOUS TO INVESTIGATE AGRARIAN UNREST IN STATE OF PARA. (IN THIS CONNECTION DEPARTMENT WILL RECALL ARREST OF CATHOLIC PREIST FLORETINO MABONI ON
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PAGE 02 BRASIL 10174 111514Z

SUBJVERSION CHARGES AFTER ATTACK BY SQUATTERS ON

PARA MILITARY POLICE DETACHMENT ESCORTING SURVEYERS OF THE AGRARIAN REFORM INSTITUTE (INCRA)--REPORTED IN REFTEL). WHILE INDICATING THAT ARMY WAS FOLLOWING THE DAVIS SITUATION AND WAS TAKING STEPS (INCLUDING ESTABLISHMENTS OF A CIVIC ACTION PROGRAM) TO DEAL WITH THE OVERALL AGRARIAN PROBLEM IN THAT AREA OF PARA, FERREIRA DIDNOT CIEW THE DAVIS CASE IN ITSELF AS A NATIONAL SECURITY PROBLEM (WHICH PRESUMBLY WOULD WARRANT MORE DIRECT ARMY INTERVENTION).

4. POLITICAL COUNSELOR MET DECEMBER 3 WITH HAGENOR SOARES DOS SANTOS, HEAD OF JURIDICAL DIVISION OF MFR COUNSELOR AND JURIDICAL DEPARTMENT. COUNSELOR CITED EMBASSY'S CONTINUED INTEREST IN DAVIS CASE AND GRAVE CONCERN FOR SAFETY OF FAMILY IN VIEW OF RELEASE OF SUSPECTS IN BELEM, REAFFIRMED EMBASSY REQUEST THAT NOTWITHSTANDING SUCH RELEASE, INVESTIGATIONS OF KILLINGS AND THE APPROPRIATE JUDICIAL PROCEEDINGS PROCEED AS VIGOROUSLY AS POSSIBLE; AND REITERATED EMBASSY REQUEST FOR THE INITIAL POLICE REPORT ON THE JULY SHOOTINGS.

5. ON DECEMBER 6, AMBASSADOR MET WITH FOREIGN MINISTER SILVIRA TO DISCUSS, INTER ALIA, THE DAVIS CASE, AGAIN STRESSING EMBASSY CONCERN OVER FAMILY'S PROBLEMS AND REQUESTING A COPY OF THE POLICE REPORT.

6. ON DECEMBER 9, AMBASSADOR SOUTO MAIOR, CHIEF OF CABINET OF THE FOREIGN MINISTER CALLED DCEM TO INFORM HIM THAT ITAMARATY WOULD SHORTLY BE SENDING EMBASSY A COPY OF THE POLICE REPORT. SOUTO MAIOR ALSO REFERRED TO THE DAVIS LETTER DELIVERED TO COL. FERREIRA, INDICATING THAT THERE WOULD BE NO REPLY TO THE LETTER AND THAT IT WAS BEING RETURNED TO THE EMBASSY THROUGH ITAMARATY, SINCE THE MATTER IN QUESTION WAS NOT UNDER CONSIDERATION BY THE NSC, IT BEING WITHIN THE PURVIEW OF THE JUSTICE MINISTRY. LETTER ARRIVED AT EMBASSY DECEMBER 10 AND WAS ENCLOSED WITH AMBASSADOR'S LETTER TO JOHN DAVIS, JR.

7. IN FRONT PAGE ARTICLE CARRIED DECEMBER 10 BY CORREIO BRASILIENSE, BRASILIA'S LARGEST NEWSPAPER, MANAGING CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BRASIL 10174 111514Z

EDITOR AND COLUMNIST OLIVEIRA BASTOS REFERRED IN SOME LENGTH TO DAVIS CASE, PLACING IT IN THE CONTEXT OF SEVERE CRITICISM WHICH CORREIO HAS LEVELED RECENTLY AGAINST WHAT IT DESCRIBES AS RADICAL CHURCH ELEMENTS INVOLVED IN MISGUIDED LAND AGITATION AMONG AMAZON SQUATTERS. (IT WAS CORREIO WHICH INTERVENED WITH OFFICIALS IN BRASILIA TO OBTAIN A CONTROVERSIAL JAILHOUSE INTERVIEW WITH FATHER MABONI, CRITICAL OF SUCH ELEMENTS AND OF CNBB. SEE REFTEL)

8. COMMENTING ON THE RADICAL CLERGY'S ANALYSIS OF AMAZON LAND PROBLEMS, BASTOS POINTS TO DAVIS CASE AS ONE OF THE BETTER EXAMPLES WHICH DEMONSTRATE FALLACY OF THE CLAIM THAT PROBLEMS STEM PURELY FROM OPPRESSION OF POOR, INNOCENT SQUATTERS. BASTOS INDICATES THAT A FRIEND OF JOHN DAVIS, SR., TRIED TO SOLICIT HIS INTEREST AND ASSISTANCE IN CASE LAST MAY, BUT THAT BASTOS ONLY INTERESTED HIMSELF AFTER THE JULY MURDERS, SUBSEQUENTLY RECEIVING A DOSSIER ON THE CASE FROM ONE OF THE SURVIVING DAVIS CHILDREN. BASTOS INDICATES THAT HE WILL INITIATE PUBLICATION OF THE DAVIS DOSSIER ON DECEMBER 11, FOR THE BENEFIT OF PUBLIC OPINION AND IN AN ATTEMPT TO PRY THE GOVERNMENT FROM ITS "INERTIA" AND ITS "BUREAUCRATIC AND SINFULLY NEGLIGENT" POSITION WITH REGARD TO LAND CONFLICTS IN THAT AREA. BASTOS COMMENTS ALSO INDICATE THAT HE WILL LINK RADICAL CLERGY TO DAVIS CASE BY POINTING TO THE "COVER" THEY ALLEGEDLY HAVE PROVIDED TO THE MURDERERS AND THE LARGER INTERESTS HE BELIEVES ARE BEHIND THEM. WHILE NEWSPAPER SERIES MAY WELL HELP TO FOCUS ATTENTION, OFFICIAL AND OTHEWISE, ON DAVIS CASE, EMBASSY VIEWS IT AS DOUBLE EDGED SWORD, AT BEST, WHICH WILL NOT ENDEAR DAVISES TO GOB AND MAY TEND TO POLITICIZE CASE. CRIMMINS

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